

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 JOHN MICHAEL SMITH,

4 Plaintiff

5 v.

6 RICHARD PERKINS, et al.,

7 Defendants

Case No.: 2:23-cv-01931-APG-NJK

**Order Accepting Report and
Recommendation and Dismissing Case**

[ECF No. 9]

8 On March 14, 2024, Magistrate Judge Koppe recommended that I dismiss this case
9 without prejudice because plaintiff John Smith did pay the initial partial filing fee as ordered.
10 ECF No. 9. Smith did not object. Thus, I am not obligated to conduct a de novo review of the
11 report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to “make a de novo
12 determination of those portions of the report or specified proposed findings to which objection is
13 made”); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (“the
14 district judge must review the magistrate judge’s findings and recommendations de novo *if*
15 *objection is made*, but not otherwise” (emphasis in original))

16 I THEREFORE ORDER that Magistrate Judge Koppe’s report and recommendation
17 (ECF No. 9) is accepted and this case is dismissed without prejudice. The clerk of court is
18 instructed to close this case.

19 DATED this 2nd day of April, 2024.

20 
21 ANDREW P. GORDON
22 UNITED STATES DISTRICT JUDGE
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